

RULES OF PROFESSIONAL CONDUCT

PREAMBLE

To comply with the purpose of the ARK CODE ANNO. 17-30-101 ET. SEQ. And ARK CODE ANNO. 17-48-101 ET. SEQ. Which is to safeguard life, health, and property, to promote the public welfare and to maintain a high standard of integrity and practice, the Arkansas State Board of Registration for Professional Engineers and Land Surveyors has developed the following Rules of Professional Conduct. These rules shall be binding on every person holding a Certificate of Registration to offer or perform engineering or land surveying services in this state. All persons registered under the ARK CODE ANNO. 17-30-101 ET SEQ. And ARK CODE ANNO. 17-48-101 ET SEQ are required to be familiar with the registration Statute and these Rules. The Rules of Professional Conduct delineate specific obligations the registrant must meet. In addition, each registrant is charged with the responsibility of adhering to standards of highest ethical and moral conduct in all aspects of the practice of Professional Engineering and Land Surveying.

The practice of Professional Engineering and Land Surveying is a privilege. All registrants shall exercise their privilege of practicing by performing services only in the areas of their competence according to current standards of technical competence.

Registrants shall recognize their responsibilities to the public and shall represent themselves before the public only in an objective and truthful manner.

They shall avoid conflicts of interest and faithfully serve the legitimate interest of their employers, clients and customers within the limits defined by these Rules. Their professional reputation shall be built on the merit of their services and they shall not compete unfairly with others.

The Rules of Professional Conduct as promulgated herein are enforced under powers vested by the Arkansas State Board of Registration for Professional Engineers and Land Surveyors and the Rules of the Board. In these Rules, the word "registrant" shall mean any person holding a license or a certificate issued by the Arkansas State Board of Registration for Professional Engineers and Land Surveyors.

I. REGISTRANT'S OBLIGATION TO SOCIETY

- A.** Registrants, in the performance of their services for clients, employers and customers, shall be cognizant that their first and foremost responsibility is to the public welfare.
- B.** Registrants shall approve and seal only those design documents and surveys that conform to accepted engineering and land surveying standards and safeguard the life, health, property and welfare of the public.
- C.** Registrants shall notify their employer or client and such other authority as may be appropriate when their professional judgment is overruled under circumstances where the life, health, property and welfare of the public is endangered.
- D.** Registrants shall be objective and truthful in professional reports, statements or testimony. They shall include all relevant and pertinent information in such reports, statements or testimony.
- E.** Registrants shall express a professional opinion publicly only when it is founded upon an adequate knowledge of the facts and a competent evaluation of the subject matter.
- F.** Registrants shall issue no statements, criticisms or arguments on technical matters which are inspired or paid for by interested parties, unless they explicitly identify the interested on whose behalf they are speaking and reveal any interest they have in the matters.
- G.** Registrant shall not permit the use of their name or firm name by, nor associate in business ventures with, any person or firm which is engaging in fraudulent or dishonest business or professional practices.
- H.** Registrants having knowledge of possible violations of any of these Rules of Professional Conduct shall provide the Board information and assistance necessary to the final determination of such violation.
- I.** Registrants that are salespersons for or who represent a particular product or system shall qualify any public statement made concerning their product or system.

II. REGISTRANT'S OBLIGATION TO EMPLOYER, CLIENTS AND CUSTOMERS

- A.** Registrants shall undertake assignments only when qualified by education or experience in the specific technical fields of engineering or land surveying is involved.
- B.** Registrants shall not affix their signatures or seals to any plans or documents dealing with subject matter in which they lack competence, nor to any such plan or document not prepared under their direct control and personal supervision.
- C.** Registrants may accept assignments for coordination of an entire project, provided that each design segment is signed and sealed by the registrant responsible for preparation of that design segment.

- D. Registrants shall not reveal confidential facts, data or information obtained in a professional capacity without the prior consent of the client or employer except as authorized or required by law.
- E. Registrants shall not solicit or accept financial or other valuable consideration, directly or indirectly, from contractors, their agents or other parties in connection with work for employers or clients.
- F. Registrants shall make full prior disclosures to their employers or clients of potential conflicts of interest or other circumstances which could influence or appear to influence their judgement or the quality of their service.
- G. Registrants shall not accept compensation, financial or otherwise, from more than one party for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.
- H. Registrants shall not solicit or accept a professional contract from a governmental body on which a principle or officer of their organization serves as a member. Conversely, registrants serving as members, advisors, or employees of a governmental body or department, who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services offered or provided by said concern to the governmental body which they serve.

III. REGISTRANT'S OBLIGATION TO OTHER REGISTRANTS

- A. Registrants shall not falsify or permit misrepresentation of their, or their associates; academic or professional qualifications. They shall not misrepresent or exaggerate their degree of responsibility in prior assignments nor the complexity of said assignments. Presentations incidental to the solicitation of employment or business shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures or past accomplishments.
- B. Registrants shall not offer, give, solicit or receive, either directly or indirectly, any commission, gift, or other valuable consideration in order to secure work, and shall not make any political contribution with the intent to influence the award of a contract by a public authority.
- C. Registrants shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects practice or employment of other registrants, nor indiscriminately criticize other registrant's work.
- D. Registrants who are aware of any alleged violations of the Law, Rules of the Board, or these Rules of Professional Conduct by a fellow registrant may counsel with that registrant to determine the facts. If correction is not made the registrant shall report the violation to the Board and other proper authorities.

Signature

State of _____

County of _____

On the ____ day of _____, 20____, before the undersigned, a Notary Public in and for the County and State aforesaid, came _____ a resident in the State of _____ known to me as the person herein described and subscribing hereto, as having signed the form of application on attached hereto, and on oath deposes and says that the statements made are true.

Subscribed and sworn to before me, this ____ day of _____, 20____.

Signature Notary Public